

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BETTA MOMENTS,

Plaintiff,

- against -

WARDEN ADA PRESSLEY and THE CITY OF
NEW YORK,

Defendants.

X

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24 Civ. 1865 (GHW) (GS)

ORDER

X

GARY STEIN, United States Magistrate Judge:

Plaintiff Betta Moments, who is proceeding in this action *pro se* and *in forma pauperis*, submitted a letter to the Court dated August 23, 2024, requesting assistance with effectuating service on Defendant Ada Pressley. (Dkt. No. 19). It appears Pressley was the Warden of the RNDC facility where Plaintiff was incarcerated when the events giving rise to this action allegedly occurred. (*See* Dkt. No. 21 at 5 n.2). Accordingly, prior to Plaintiff’s instant request, the Court requested that Pressley waive service. (Dkt. No. 7). That request was declined by the Assistant General Counsel of the New York City Department of Corrections because Pressley is “no longer [an] employee of the agency.” (Dkt. No. 10).

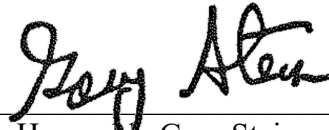
Thereafter, on September 13, 2024, the City and Pressley jointly moved to dismiss Plaintiff’s claims. (Dkt. Nos. 20 & 21). In their moving papers, Pressley states she is making “a limited appearance and does not waive personal jurisdiction.” (Dkt. No. 20). The City also states its counsel is undertaking representation of Pressley in her “official capacity” and solely for the “purposes of Defendants’ Motion to Dismiss.” (Dkt. No. 21 at 5 n.2).

For the avoidance of doubt, the Court requests the City accept service on behalf of

Pressley for all purposes in this action. If the City declines to do so, it is directed to provide Pressley's last known address to the Court by no later than **October 25, 2024**. *See Valentin v. Dinkins*, 121 F.3d 72, 76 (2d Cir. 1997). After receiving this information, the Court will issue an order directing the Clerk of Court to complete the USM-285 forms with the address for Pressley and deliver all documents necessary to effectuate service to the U.S. Marshals Service.

SO ORDERED.

Dated: New York, New York
October 11, 2024

A handwritten signature in black ink, appearing to read "Gary Stein", written over a horizontal line.

The Honorable Gary Stein
United States Magistrate Judge